

and all that follows through the period at the end of subparagraph (B) and inserting “the independence at home medical practice pilot program under section 1866E.”.

(3) Section 933 of the Public Health Service Act, as added by section 3501 of the Patient Protection and Affordable Care Act, is amended by striking subsection (f).

(4) Section 10328(b) of the Patient Protection and Affordable Care Act is amended by striking “or to study” and all that follows through “3021”.

(5) EFFECTIVE DATE.—The amendments made by this subsection shall take effect as if included in the enactment of the Patient Protection and Affordable Care Act.

SA 3629. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

At the end of subtitle B of title I, add the following:

SEC. ____ . REPEAL OF THE INDEPENDENT PAYMENT ADVISORY BOARD.

Effective as if included in the enactment of the Patient Protection and Affordable Care Act, sections 3403 and 10320 of such Act (and the amendments made by such sections) are repealed.

SA 3630. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

Beginning on page 30, strike line 17 and all that follows through page 50, line 11.

SA 3631. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

At the end of subtitle B of title I, insert the following:

SEC. ____ . REPEALING PAYMENT ADJUSTMENTS FOR HOME HEALTH CARE.

Effective as if included in the enactment of the Patient Protection and Affordable Care Act, sections 3131 and 3401(e) of such Act (and the amendments made by such sections) are repealed.

SA 3632. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

At the end of subtitle B of title I, insert the following:

SEC. ____ . REPEALING PAYMENT ADJUSTMENTS FOR HOSPICE CARE.

Effective as if included in the enactment of the Patient Protection and Affordable Care Act, sections 3004(c), 3132, and 3401(g) of such Act (and the amendments made by such sections) are repealed.

SA 3633. Mr. CRAPO submitted an amendment intended to be proposed by

him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

Strike section 1104 and insert the following:

SEC. 1104. REPEALING CUTS TO MEDICARE DIS-PROPORTIONATE SHARE HOSPITAL PAYMENTS.

Effective as if included in the enactment of the Patient Protection and Affordable Care Act, sections 3133 and 10316 of such Act (and the amendments made by such sections) are repealed.

SA 3634. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

At the end of subtitle A of title I, insert the following:

SEC. 1006. REPEAL OF TAXABLE YEAR LIMITATION ON SMALL BUSINESS TAX CREDIT.

(a) IN GENERAL.—Section 45R of the Internal Revenue Code of 1986, as added by section 1421 of the Patient Protection and Affordable Care Act and amended by section 10105(e) of such Act, is amended—

(1) by striking “in the credit period” in subsection (a),

(2) in subsection (e), by striking paragraph (2) and redesignating paragraphs (3), (4), and (5) as paragraphs (2), (3), and (4), respectively,

(3) in subsection (g), by striking paragraph (1) and redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively, and

(4) by striking “to prevent the avoidance of the 2-year limit on the credit period through the use of successor entities and” in subsection (i).

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of the Patient Protection and Affordable Care Act to which the amendments relate.

SA 3635. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

At the end of subtitle F of title I, add the following:

SEC. 15 ____ . PERMANENT TAX RELIEF PROVISIONS.

(a) REPEAL OF SUNSET ON MARRIAGE PENALTY RELIEF.—Title IX of the Economic Growth and Tax Relief Reconciliation Act of 2001 (relating to sunset of provisions of such Act) shall not apply to sections 301, 302, and 303(a) of such Act (relating to marriage penalty relief).

(b) PERMANENT EXTENSION OF ELECTION TO DEDUCT STATE AND LOCAL SALES TAXES.—Subparagraph (I) of section 164(b)(5) of the Internal Revenue Code of 1986 is amended by striking “, and before January 1, 2010”.

(c) RESCISSION OF STIMULUS FUNDS.—Any amounts appropriated or made available and remaining unobligated under division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 115) (other than under title X of such division A), are hereby rescinded.

SA 3636. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

On page 113, after line 21, add the following:

SEC. 1502. CIVIL ACTIONS.

For purposes of any civil action in which a State challenges any provision of this Act, or an amendment made by this Act, the State shall be—

(1) deemed to be a party for purposes of section 2412(d) of title 28, United States Code; and

(2) entitled to an award of attorney’s fees under section 2412(d)(1)(A) of title 28, United States Code, if the State is a prevailing party, without regard to whether the position of the United States was substantially justified or whether there are special circumstances.

SA 3637. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

On page 113, after line 21, add the following:

SEC. 1502. OPEN FUEL STANDARD.

(a) SHORT TITLE.—This section may be cited as the “Open Fuel Standard Act of 2009” or the “OFS Act”.

(b) FINDINGS.—Congress makes the following findings:

(1) The status of oil as a strategic commodity, which derives from its domination of the transportation sector, presents a clear and present danger to the United States;

(2) in a prior era, when salt was a strategic commodity, salt mines conferred national power and wars were fought over the control of such mines;

(3) technology, in the form of electricity and refrigeration, decisively ended salt’s monopoly of meat preservation and greatly reduced its strategic importance;

(4) fuel competition and consumer choice would similarly serve to end oil’s monopoly in the transportation sector and strip oil of its strategic status;

(5) the current closed fuel market has allowed a cartel of petroleum exporting countries to inflate fuel prices, effectively imposing a harmful tax on the economy of the United States;

(6) much of the inflated petroleum revenues the oil cartel earns at the expense of the people of the United States are used for purposes antithetical to the interests of the United States and its allies;

(7) alcohol fuels, including ethanol and methanol, could potentially provide significant supplies of additional fuels that could be produced in the United States and in many other countries in the Western Hemisphere that are friendly to the United States;

(8) alcohol fuels can only play a major role in securing the energy independence of the United States if a substantial portion of vehicles in the United States are capable of operating on such fuels;

(9) it is not in the best interest of United States consumers or the United States Government to be constrained to depend solely upon petroleum resources for vehicle fuels if alcohol fuels are potentially available;